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09/706,753	11/07/2000	Tsutomu Tanaka	2000-1536A	5990

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EXAMINER

LONSBERRY, HUNTER B

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/706,753

Applicant(s)

TANAKA ET AL.

Examiner

Hunter B. Lonsberry

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-3 and 5-44 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 2-3 and 5-44 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Arguments***

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 11, 13-23, 30-38 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,493,872 B1 to Rangan in view of U.S. Patent 6,571,392-B1 to Zigmond and U.S. Patent 6,240,555 to Shoff.

Regarding claims 13, 31, 35, 37, 38 and 44, Rangan discloses in Figure 7, an authoring system 51, in which an input video stream is received from headend 45, annotation data, including a URL, may be transmitted in the VBI, multiplexed with the video, over the Internet or a WAN, a WebTV is located in a users home (Figure 12) and receives both the video and annotation data stream, resynchronizes the data and displays it to the end user (column 12, line 44-column 14, line 23, column 16, lines 8-12, column 17, line 16-33, 66-column 18, line 34, column 21, lines 19-30, 46-58, column 22, lines 43-54).

Rangan does not disclose utilizing a URL to indicate where the content is stored on the network, the use of tag information embedded within the first signal and means for fetching the content from the network.

Zigmond discloses a method in figure 3, in which a receiver 201, monitors the vertical blanking interval of a currently watched program for HTML data or a URL, then utilizes the URL to retrieve HTML data from the Internet (column 5, lines 34-46, column 6, lines 24-37).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan to retrieve a URL from the VBI data stream, and connect to the Internet to retrieve annotation data as taught by Zigmond, thus utilizing the wider bandwidth an Internet connection provides.

Zigmond fails to disclose the use of tag information.

Shoff discloses a supplemental content display system in which web page data may be embedded in a video signal or transmitted separately via an ISP, the web page data includes tags to control the display of the webpage data and video, and to specify which webpages to load and synchronization data to control the timing of the supplemental content (column 5, line 16-60, column 6, line 23-66, column 7, lines 19-50, column 9, line 5-29, column 10, lines 1-58, column 12 line 60-column 13, line 30).

Therefore, it would have been obvious to one skilled in the art at the time of invention to the combination of Rangan and Zigmond to utilize the tags of Shoff in order to customize the display of the supplemental content and video display in an aesthetically pleasing manner.

Regarding claims 2, 3, 14, 15, 32, 33, 34, 36, Rangan discloses that the video may be satellite video (column 6, lines 45-50), and that the annotation data may include URLs associated with an advertiser (column 17, lines 15-32).

Rangan, Zigmond and Shoff do not disclose storing a user's area, utilizing a table, which specifies the URL of a CM matching a user's regional area, the name of a sponsor or product or a nationwide broadcast via satellite.

The examiner takes official notice that utilizing a table to define a targeted area for commercial messages based upon a zip code and associating a message with a sponsor or product is well known in the art.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond to include a table for targeted advertisements that are associated with descriptive information and a zip code, thereby enabling a user to see messages that would be the most relevant to a user and be of more interest to a user.

The examiner takes official notice that storing a user's zip code and reading from a table to determine which EPG data the user should display is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond to store a users zip code and utilize that zip code to check a lookup table for what EPG information should display, thus enabling a user to see only the programs which are available in the user's geographic area.

The examiner takes official notice that the use of a nationwide satellite broadcast to distribute video information is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond to utilize a nationwide satellite broadcast to distribute video information, thus enabling a user to receive important news such as presidential speeches or view sporting events.

Regarding claims 11, 21, 30, Zigmond discloses that the second content may be retrieved and stored prior to the time period in which it needs to be displayed with the first content (Figure 3, column 7, lines 18-34).

Regarding claims 16, 17, Rangan discloses that the video may be satellite video (column 6, lines 45-50), and that the annotation data may include URLs associated with an advertiser (column 17, lines 15-32).

Zigmond discloses a method in figure 3, in which a receiver 201, monitors the vertical blanking interval of a currently watched program for HTML data or a URL, then utilizes the URL to retrieve HTML data from the Internet (column 5, lines 34-46, column 6, lines 24-37).

Rangan, Shoff and Zigmond do not disclose a table, which includes a targeting area for a commercial and its URL, or the use of a name server, which stores a table with location information.

The examiner takes official notice that utilizing a table to define a targeted area for a commercial message is well known in the art, for example a targeted

advertisement on a webpage in which a user's region is determined by entering a zip code.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond to include a table for targeted advertisements, thereby enabling a user to see messages that they would be more likely to be interested in based off of their location

The examiner takes official notice that the use of a name server that utilizes a look up table to associate a URL with a server's IP address is well known in the art.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond utilize a name server to store the URL information and transmit it to the terminal thus allowing the terminal to resolve the server associated with the URL and download the content.

Regarding claim 18, Rangan discloses that the video may be satellite video (column 6, lines 45-50), and that the annotation data may include URLs associated with an advertiser (column 17, lines 15-32).

Rangan, Shoff and Zigmond do not disclose receiving a table and storing only the relevant information based on the location and storing a new table.

The examiner takes official notice that sorting and storing information in a table that is pertinent to a given area, such as local stations in an electronic program guide, is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond to only store

information pertinent to a location in a table, thus providing information that would be relevant and of interest to a local user.

Regarding claim 19, Zigmond discloses that the second content may be retrieved and stored in local storage 304 prior to a trigger for display (column 7, lines 18-34).

Shoff discloses that timing information is utilized to synchronize the supplemental content with the displayed video (column 10, lines 44-58).

Regarding claim 22, Rangan discloses in Figure 7, an authoring system 51, in which an input video stream is received from headend 45, annotation data, including a URL, may be transmitted in the VBI, multiplexed with the video, over the Internet or a WAN, a WebTV is located in a users home (Figure 12) and receives both the video and annotation data stream, resynchronizes the data and displays it to the end user (column 12, line 44-column 14, line 23, column 16, lines 8-12, column 17, line 16-33, 66-column 18, line 34, column 21, lines 19-30, 46-58, column 22, lines 43-54).

Rangan does not disclose utilizing a URL to indicate where the content is stored on the network, the use of tag information embedded within the first signal and means for fetching the content from the network.

Zigmond discloses a method in figure 3, in which a receiver 201, monitors the vertical blanking interval of a currently watched program for HTML data or a URL, then utilizes the URL to retrieve HTML data from the Internet (column 5, lines 34-46, column 6, lines 24-37).

Zigmond fails to disclose utilizing tags.



Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan to retrieve a URL from the VBI data stream, and connect to the Internet to retrieve annotation data as taught by Zigmond, thus utilizing the wider bandwidth an Internet connection provides.

Shoff discloses a supplemental content display system in which web page data may be embedded in a video signal or transmitted separately via an ISP, the web page data includes tags to control the display of the webpage data and video, and to specify which webpages to load and synchronization data to control the timing of the supplemental content (column 5, line 16-60, column 6, line 23-66, column 7, lines 19-50, column 9, line 5-29, column 10, lines 1-58, column 12 line 60-column 13, line 30).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan and Zigmond to utilize the tags of Shoff in order to customize the display of the supplemental content and video display in an atheistically pleasing manner.

Regarding claim 23, Rangan discloses that the video may be satellite video (column 6, lines 45-50), and that the annotation data may include URLs associated with an advertiser (column 17, lines 15-32).

Rangan, Zigmond and Shoff do not disclose storing a user's area, utilizing a table, which specifies the URL of a CM matching a user's regional area, the name of a sponsor or product or a nationwide broadcast via satellite. The examiner takes official notice that utilizing a table to define a targeted area for commercial messages and associating a message with a sponsor or product is well known in the art, for example a

targeted advertisement on a webpage in which a user's region is determined by entering a zip code.

The examiner takes official notice that utilizing a table to define a targeted area for commercial messages based upon a zip code and associating a message with a sponsor or product is well known in the art.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond to include a table for targeted advertisements that are associated with descriptive information and a zip code, thereby enabling a user to see messages that would be the most relevant to a user and be of more interest to a user.

The examiner takes official notice that storing a user's zip code and reading from a table to determine which EPG data the user should display is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond to store a users zip code and utilize that zip code to check a lookup table for what EPG information should display, thus enabling a user to see only the programs which are available in the user's geographic area.

The examiner takes official notice that the use of a nationwide satellite broadcast to distribute video information is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Shoff and Zigmond to utilize a

nationwide satellite broadcast to distribute video information, thus enabling a user to receive important news such as presidential speeches or view sporting events.

Claims 5, 6, 20, 24, 25 and 39, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,493,872 B1 to Rangan in view of U.S. Patent 6,571,392-B1 to Zigmond and U.S. Patent 6,240,555 to Shoff in further view of U.S. Patent 5,901,339 to Saito.

Regarding claims 5, 6, 20, 24, 25 and 39, Rangan discloses that the first content and annotation data may be contained within an MPEG2 video stream (column 19, lines 61-65). Zigmond discloses transmitting the supplementary content within the video stream (column 5, lines 34-46, column 6, lines 24-37).

Rangan and Zigmond do not disclose transmitting the second content in the MPEG 2 video stream or scrambling data.

Saito discloses a program viewing system in which the decode data may be transmitted over a second interface (Figure 4, column 7, lines 8-28).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan and Zigmond to transmit the second content within an MPEG 2 data stream, and to utilize a decode key transmitted as second content, as taught by Saito thus adding an extra layer of security for a video stream.

The examiner takes official notice that transmitting user data within a MPEG 2 video stream in the non-video portions of the stream, such as a picture header, is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan, Zigmond and Saito to transmit user data within an MPEG 2 video stream in the non-video portions of the MPEG stream, thus negating the need for a second connection to retrieve web data.

The examiner takes official notice that transmitting MPEG 2 data requested by a webpage is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan, Zigmond and Saito to transmit webpages as MPEG 2 data thus enhancing a user experience by enabling a user to view a webpage related to the video data.

Claims 7-9, 26-28, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,493,872 B1 to Rangan in view of U.S. Patent 6,571,392-B1 to Zigmond and U.S. Patent 6,240,555 to Shoff in further view of U.S. Patent 5,901,339 to Saito in further view of U.S. Patent 5,559, 557 to Kato.

Regarding claims 7-9, 26-28, and 40-42, Rangan discloses that the first content and annotation data may be contained within an MPEG2 video stream (column 19, lines 61-65). Zigmond discloses transmitting the supplementary content within the video stream (column 5, lines 34-46, column 6, lines 24-37).

Rangan and Zigmond do not disclose transmitting the second content in the MPEG 2 video stream within a picture layer, GOP layer, or sequence layer. Saito discloses a program viewing system in which the decode data may be transmitted over a second interface (Figure 4, column 7, lines 8-28).

The examiner takes official notice that transmitting user data within a MPEG 2 video stream in the non-video portions of the stream, such as a picture layer header, is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan, Zigmond and Saito to transmit user data within an MPEG 2 video stream in the non-video portions of the MPEG stream, thus negating the need for a second connection to retrieve web data.

Kato discloses in Figure 2, a conceptual diagram of an MPEG video stream, a video sequence layer, is made up of a group of pictures layer, which is in turn made up of a picture layer (Figure 2). Storing user data within a picture layer would also result in the user data being stored in both the GOP layer and video sequence layer as they are made up of the data stored within the picture layer.

Therefore it would have been obvious to one skilled in the art at the time of invention to modify Rangan, Zigmond, and Saito to store data user data in the Picture layer disclosed by Kato, thus storing data in the GOP layer and video sequence layer, and negating the need for a second downstream connection to a user.

Claims 10, 29, 43, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,493,872 B1 to Rangan in view of U.S. Patent 6,571,392-B1 to Zigmond and U.S. Patent 6,240,555 to Shoff in further view of U.S. Patent 5,901,339 to Saito in further view of U.S. Patent 6,301,663 to Kato.

Regarding claims 10, 29, and 43 Rangan discloses that the first content and annotation data may be contained within an MPEG2 video stream (column 19, lines 61-

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65). Zigmond discloses transmitting the supplementary content within the video stream (column 5, lines 34-46, column 6, lines 24-37).

Rangan Shoff Zigmond and Saito do not disclose transmitting the key as embedded watermark information within an MPEG 2 video stream.

Kato discloses the used of a watermark-embedding unit 25, which embeds a key, within a watermark stored within MPEG audio data (column 9, line 20-column 10, line 2).

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Rangan, Zigmond and Saito to transmit a watermark, which contains a decryption key within an MPEG data stream, as, taught by Kato, thereby enabling only an intended user to access a specific program,

The examiner takes official notice that transmitting supplementary data within a MPEG 2 video stream is well known in the art.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Rangan, Zigmond, Saito and Kato to transmit supplementary data within an MPEG 2 stream, thus negating the need for additional connection to retrieve the supplementary data.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,574,417 to Lin: Digital Video Processing and Interface System for Video, Audio and Ancillary Data.

U.S. Patent 6,173,317 B1 to Chaddha: Streaming and Displaying a Video Stream with Synchronized Annotations Over a Computer Network.

U.S. Patent 6,308,202 to Cohn et al: System for Targeting Information to Specific Users on a Computer Network.

U.S. Patent 6,735,569 to Wizig: Method and System for Providing a User-Selected Healthcare Services Package and Healthcare Services Panel Customized Based on a User's Selections.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 703-

305-3234. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HBL

  
HAITRAN  
PATENT EXAMINER